

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: METOPROLOL SUCCINATE
END-PAYOR ANTITRUST
LITIGATION

C.A. No. 06-71 (GMS)

THIS DOCUMENT RELATES TO:
ALL ACTIONS

DOROTHY FERGUSON,
on behalf of herself and all others
similarly situated,

Plaintiff,

C.A. No. 06-392 (GMS)

v.

ASTRAZENECA PHARMACEUTICALS LP,
ASTRAZENECA LP, ASTRAZENECA AB
and AKTIEBOLAGET HÄSSLE,

Defendants.

STIPULATION AND ORDER

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that this end-payor action shall be consolidated and coordinated with the related end-payor actions pursuant to Section IV of Pretrial Order No. 1 Regarding End-Payor Actions dated April 5, 2006 ("Pretrial Order No. 1") (D.I. 13 in C.A. No. 06-71 (GMS)).

Pretrial Order No. 1 contemplates that all related end-payor actions will be consolidated and that the plaintiffs will file a Consolidated Amended Complaint, which will be the sole operative complaint for all these actions. The Consolidated Amended Complaint was filed on June 5, 2006 (D.I. 17 in C.A. No. 06-71(GMS)). Pretrial Order No. 1 also states that the Clerk of the Court shall, *inter alia*, make appropriate entry for this action on the master docket (06-71 (GMS)), place a copy of Pretrial Order No. 1 in the separate file for this action, and mail a

copy of the Order of assignment to Liaison counsel and counsel for defendants. (D.I. 13 at ¶ 10).¹

Co-Lead Counsel for the other end-payor actions have advised that they have no objection to the addition of this action to Pretrial Order No. 1.

PRICKETT, JONES & ELLIOTT, P.A.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ J. Clayton Athey

/s/ Karen Jacobs Loudon

Gary F. Traynor (#2131)
J. Clayton Athey (#4378)
jcathey@prickett.com
1310 King Street
P.O. Box 1328
Wilmington, Delaware
(302) 888-6500
Attorneys for plaintiffs

Jack B. Blumenfeld (#1014)
Karen Jacobs Loudon (#2881)
Leslie A. Polizoti (#4299)
klouden@mnat.com
1201 N. Market Street
P.O. Box 1347
Wilmington, Delaware 19899
(302) 658-9200
Attorneys for defendants

SO ORDERED this ____ day of _____, 2006.

Judge Gregory M. Sleet

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¹ It is unnecessary for the Clerk to mail a copy of Pretrial Order No. 1 to the plaintiffs in this action (¶ 10(c)), as plaintiffs already are in possession of the Order.